

THIRTY-NINTH DAY

(Monday, March 30, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	McDonald
Bell	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Phillips
Fuller	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Rutherford
Kelley	Sadler
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis

Absent

Russell

Absent—Excused

Ashley	Shireman
Secrest	

A quorum was announced present.

The Invocation was offered by the Reverend W. H. Townsend, Chaplain, as follows:

O God, Our Father, as we enter this new day, we pray that thou wilt "let us lay aside every weight, and the sin which doth so easily beset us, and let us run with patience the race that is set before us," looking unto Jesus the author and finisher of our faith." For Christ's sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 26, 1953, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Secrest was granted leave of absence for today on account of important business on motion of Senator Bracewell.

Senator Ashley was granted leave of absence for today on account of important business on motion of Senator Bracewell.

Senator Shireman was granted

leave of absence for today on account of important business on motion of Senator Fuller.

Senate Concurrent Resolution 33

Senator Corbin offered the following resolution:

S. C. R. No. 33, Recognizing and honoring Major George A. Davis, Jr., of Lubbock, Texas, for his bravery and gallantry in the present world strife.

Whereas, Major George Andrew Davis, Jr., of Lubbock, Texas, on the tenth of February, 1952, sacrificed his life in aerial combat over Korea, leaving a wife and three children; and

Whereas, Major Davis, between the months of October, 1951, and February, 1952, destroyed eleven Chinese Communist jet aircraft and three propeller-driven enemy bombers; and

Whereas, Major Davis's record of jet planes destroyed was not equalled for more than a year, and his total record not yet equalled; and

Whereas, Major Davis had previously served his country during the Second World War, destroying seven enemy aircraft and flying two hundred sixty-six combat missions; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that Major George A. Davis be tendered the highest commendation for gallantry, the most reverent and respectful recognition, and the heartfelt gratitude of the State of Texas for his devotion and sacrifice; and, be it further

Resolved, That the family of Major Davis be presented copies of this resolution, with expressions of sympathy and humble thanks for having purchased the blessings of liberty for themselves and their countrymen at so costly a price.

The resolution was read and was adopted.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 30, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 148, A bill to be entitled "An Act authorizing the State Board of Water Engineers of Texas to plug improperly capped oil wells now flowing salt water into the Frio River from State Lease No. MF 8214 in McMullen County; providing an emergency appropriation therefor; repealing all laws and parts of laws in conflict therewith to extent of conflict only, and declaring an emergency."

H. B. No. 157, A bill to be entitled "An Act amending Subdivision 38 of Article 1302, Chapter 1, Title 32, of the Revised Civil Statutes of Texas, 1925, as amended, so as to provide that private corporations may be created for or, if presently created, may be so amended as to include one or more of the following purposes: namely, to establish and maintain an oil business and to establish and maintain a drilling business for the production of oil, gas, or water, and declaring an emergency."

H. B. No. 205, A bill to be entitled "An Act repealing Chapter 39, Page 107, of the Acts of the First Called Session of the 51st Legislature, 1950, prohibiting the sale of fresh water fish weighing under 10 pounds in Bastrop County, and declaring an emergency."

H. B. No. 213, A bill to be entitled "An Act providing for a closed season in Garza County upon quail until January 1, 1954, providing a penalty, and declaring an emergency."

H. B. No. 214, A bill to be entitled "An Act providing for a closed season in Borden County upon quail until January 1, 1958, providing a penalty, and declaring an emergency."

H. B. No. 230, A bill to be entitled "An Act amending Article 57 of Vernon's Civil Statutes, providing a saving clause, and declaring an emergency."

H. B. No. 244, A bill to be entitled "An Act to re-enact and amend Section one of House Bill No. 168, chapter 243, page 451, Acts of the Fifty-first Legislature, Regular Session, 1949, codified as Article 974-G, Section one, Vernon's Civil Statutes of the State of Texas, providing for the annexation, by all cities and towns, with the consent of the owner or owners of land or territory, to the

extent of one-half ($\frac{1}{2}$) mile in width, which is vacant and without residents, or on which less than three (3) qualified voters reside, contiguous and adjacent to any incorporated city or town; providing that this Act shall be cumulative of other laws on the subject of annexation of territory by cities and towns; and declaring an emergency."

H. B. No. 267, A bill to be entitled "An Act making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill, or possess any game bird or game animal in Gillespie, Kerr, or Mason Counties at any time; to take, kill, or trap any fur-bearing animal in said counties; to take or attempt to take any fresh water fish in said counties by any means or method; prescribing the legislative policies with respect to the wild life resources of said counties; conferring upon the Game and Fish Commission power and authority to regulate by provision, order, rule or regulation the taking of wild life resources of said counties; requiring the Game and Fish Commission to make investigations with respect to depletion and waste of the wild life resources of said counties; requiring the Commission to provide an open season or period of time when it shall be lawful to take a portion of the wild life resources of said counties; defining depletion and waste; providing for the issuance of the doe permits; providing for a public hearing to be held in the county affected by the proposed Commission's rules, regulations, or orders and for adequate notice of such hearing and for proper conducting of such hearing; providing for the adoption of the proclamations, orders, rules, or regulations of the Game and Fish Commission; providing for the effective period of regulations and for approval or disapproval by the Commissioner's Court in the county affected by the Commission's rule, regulation, or order; providing for the publication of the regulations; providing that the powers of the Commission are not limited; providing venue for suit to test the validity of the proclamations, rules, regulations, or orders of the Commission; providing a penalty for the violation of any of the provisions of this Act as well as any order, rule, or regulation of the Commission; providing for the for-

feiture of licenses; making it unlawful to provide a new license and providing a penalty therefor; defining wild life resources; suspending certain laws; providing for the effective date of this Act; providing a savings clause; and declaring an emergency."

H. B. No. 272, A bill to be entitled "An Act to amend Article 7987 of the Revised Civil Statutes of Texas, 1925, so as to increase the compensation of 'district supervisors' of levee improvement districts to be fixed by the Commissioners Courts; and declaring an emergency."

H. B. No. 281, A bill to be entitled "An Act authorizing and directing the Board for Texas State Hospitals and Special Schools, acting by the executive director thereof, to execute and deliver a release of a sanitary sewer easement on certain land in Travis County, Texas, to the owner of said land; and declaring an emergency."

H. B. No. 319, A bill to be entitled "An Act to amend Article 4382 of the Revised Civil Statutes of Texas, 1925, as amended, concerning the keeping of registers of warrants issued; and declaring an emergency."

H. B. No. 320, A bill to be entitled "An Act deleting reference to the specific Legislature which levied the tax rate on oil upon which the tax rate on liquid hydrocarbons recovered from gas is based; amending Paragraph (3) of Section 1, of main Section I of House Bill No. 628, Chapter 269, Acts of 1945, 49th Legislature, as compiled in Article 7047(b), Vernon's Texas Civil Statutes; and declaring an emergency."

H. B. No. 321, A bill to be entitled "An Act deleting reference to the capital stock tax; amending Article 7063, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 322, A bill to be entitled "An Act repealing the tax on terminal companies, Article 7072, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

H. B. No. 43, A bill to be entitled "An Act amending Uniform Act regulating traffic on highways, Chapter 421, Senate Bill 172, Acts of a Regular Session of the 50th Legislature, providing authority in the State

Highway Commission to further establish, modify and change from time to time the rate of speed of motor vehicles and the erection, removal and maintenance of light signals, Stop and Slow signs and other traffic indicators upon State designated highways, a part of the State Highway System as designated by the State Commission to adopt and amend a manual and specifications for traffic signals in towns of less than 2,500 population according to the last Federal Census; providing for the administration thereof and for fines, penalties and suits for the enforcement thereof; providing for the manner, means and method of establishing and maintaining said signals, and declaring an emergency."

(With engrossed rider.)

H. B. No. 477, A bill to be entitled "An Act to establish the Probate Court of Galveston County; to define the jurisdiction thereof and to conform to such change the jurisdiction of the County Court of Galveston County; and providing for the transfer of matters and proceedings from the County Court of Galveston County to said Probate Court of Galveston County, declaring the validity in transferred cases of writs and processes extant at the time of such transfer; granting said Court certain powers; providing for the practice and procedure in said Court and for the terms of said Court and the election, qualification and appointment of a Judge thereof, and the execution of a bond and oath of office, the filling of vacancies on said Court, and the election or appointment of a Special Judge; providing for a Clerk of said Court and for the duties of said Clerk, and the duties of the Sheriff as to such Court; providing for a secretary for said Court and providing for the salary of such secretary; providing a seal for said Court; establishing the fees and compensation to be paid the Judge thereof, and providing for the payment of such compensation; conferring upon the County Judge the power and authority to transfer matters and proceedings from the County Court of Galveston County to said Probate Court, and conferring upon the County Judge the power to sit and act as the Judge of said Court in certain cases; providing for conflict or unconstitutionality in said Act; and declaring an emergency."

H. B. No. 478, A bill to be entitled

"An Act amending Chapter 185, Acts of the Regular Session of the 48th Legislature, 1943, so as to authorize the Board of Directors of Texas Technological College at Lubbock, Texas, to select and convey to the City of Lubbock, a municipal corporation of Lubbock County, Texas, a tract of land not exceeding seven and one-half (7.5) acres upon the campus of said College for the purpose of erecting thereon an auditorium-coliseum building at the expense of the City of Lubbock, the instrument conveying said property to set forth said purposes and to provide that the said property shall revert to the said College should the City of Lubbock abandon said structure and tract for said purposes, and authorizing the Board of Directors of said College to further contract with the City of Lubbock to provide parking facilities adjacent to or near said structure and to permit ingress to and egress from said structure; and defining the term 'joint-use' as used in this Act; and authorizing the Board of Directors of Texas Technological College by its Chairman or Vice-Chairman and its Secretary to execute and deliver a deed conveying said property to the City of Lubbock, and empowering the said Board to do any and all things necessary and convenient to carry out the purpose and intent of this Act; and providing that if any section, sentence, clause, phrase, or part of this Act be invalid, such invalidity shall not affect the remainder thereof; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 479, A bill to be entitled "An Act authorizing and directing the execution and delivery by the Board of Directors of Texas Technological College, acting by the Chairman of the Board of Directors thereof, of a right of way easement to certain land in Lubbock County, Texas, to the State Highway Commission of the State of Texas, for the construction and maintenance of a State highway across the campus of Texas Technological College; and declaring an emergency."

H. B. No. 494, A bill to be entitled "An Act providing a closed season on wild deer and wild turkey in Williamson County; providing penalties for a violation of this Act; and declaring an emergency."

H. B. No. 500, A bill to be entitled

"An Act providing an open season for hunting, taking and killing quail of any species in Johnson County; fixing the days on which hunting shall be permitted; fixing a penalty; repealing all laws in conflict with this Act; and declaring an emergency."

H. B. No. 504, A bill to be entitled "An Act providing that the Commissioners' Court of any County may set aside from the general fund amounts not to exceed one thousand (\$1,000.00) dollars for any one collecting office of the County to be used in making change; providing that the bonds of each and every public official shall cover his responsibilities for the correct accounting and disposition of said change funds; making it unlawful to use such change funds for making loans or advances or for cashing checks or warrants of any kind; providing that the Commissioners' Court may recall change funds at any time; repealing all laws and parts of laws of this State in conflict with the Act to the extent of such conflict only; and declaring an emergency."

H. B. No. 507, A bill to be entitled "An Act prohibiting the shooting or discharging of any rifle or pistol in, along, or across any lake in Coke County, State of Texas, prescribing a penalty therefor and declaring an emergency."

H. B. No. 508, A bill to be entitled "An Act applicable only to the Sweetwater Oak Creek Lake, Coke County, State of Texas, providing for a closed season and an expiration date; regulating the manner and methods of taking fish, minnows and frogs from said lake; prohibiting the sale of fish or minnows taken from said lake; prohibiting the transportation of minnows beyond the border of Coke County; providing that nothing in this Act shall permit trespassing and placing the burden of proof; providing for enforcement of the Act; providing that the general laws of the State shall govern as to length, number, or type of fish taken from said lake; providing that if any provision of this Act be held invalid, such invalidity shall not affect any other provision; and declaring an emergency."

H. B. No. 512, A bill to be entitled "An Act to separate and identify the separate positions held by members of the Boards of Trustees of inde-

pendent school districts created by General Law in counties having a population of 800,000 or more according to the last preceding Federal Census, and declaring an emergency."

H. B. No. 520, A bill to be entitled "An Act providing it shall be unlawful for a person to take or kill more than one wild turkey in the County of Freestone in any one hunting season; providing a penalty for violation of said Act; and declaring an emergency."

H. B. No. 528, A bill to be entitled "An Act regulating fishing in certain waters of the Big Wichita River and lakes impounded thereon and in the waters of Lake Kickapoo on the Little Wichita River; and declaring an emergency."

H. B. No. 548, A bill to be entitled "An Act to amend subdivision (4)b of Section 1 of Article III of Senate Bill 116, Chapter 334, Acts of the 51st Legislature, 1949, as amended by Senate Bill 44, Chapter 39, Acts of the 52nd Legislature, 1951, (Art. 2922-13, V.A.C.S.) by providing that a school district may use property outside certain limits of the district within or without the State for the education of exceptional children; making certain requirements; repealing laws in conflict; and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act prohibiting payment of any salary or other compensation from any State funds to any person refusing to answer questions pertaining to communist or communist front affiliations or connections before any court, grand jury, or legislative investigating committee on the ground that it might incriminate him; and declaring an emergency."

H. B. No. 563, A bill to be entitled "An Act prescribing the compensation of County Attorneys in counties having a population of 650,000 inhabitants or more according to the last preceding Federal Census; providing for the appointment of assistants, investigators and secretaries in such counties; providing for their compensation; and declaring an emergency."

H. B. No. 570, A bill to be entitled "An Act authorizing and empowering the Board of Regents of the University of Texas, without cost or expense to the State of Texas or the Univer-

sity of Texas, to lease portions of land in Dallas County, Texas, deeded to the State of Texas by Southwestern Medical Foundation, to nonprofit organizations, for the purpose of constructing, maintaining and operating hospitals, dormitories, and housing facilities; and declaring an emergency."

H. B. No. 595, A bill to be entitled "An Act providing an open season for deer and turkey and bag and possession limits thereon in Hopkins, Delta, and Franklin Counties; fixing a penalty for violation thereof; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 626, A bill to be entitled "An Act to preserve and protect wild and tame pheasants, quails, partridges and doves within the following prescribed portion of Kaufman County, for a period of five (5) years, from the final passage and effective date of this Act, and declaring a closed season therein, by prohibiting killing of any of said wild or tame fowls and birds by any method, whether by firearms, shotguns, rifles, BB guns, sticks or clubs, prescribing a penalty for violations of this Act; and declaring an emergency."

H. B. No. 628, A bill to be entitled "An Act to add a new section to Article 1645, Revised Civil Statutes of Texas, 1925, as amended; providing for salaries for County Auditors in Counties having a population of six hundred thousand (600,000), or more, according to the last preceding Federal Census; providing for minimum and maximum salaries and the method of payment of same; providing for the manner of appointment and determining and fixing of the salaries; providing for the repeal of conflicting laws with exceptions; providing for a savings clause; and declaring an emergency."

H. B. No. 662, A bill to be entitled "An Act validating Amarillo Center of West Texas State College as an integral part of said College; providing said Center shall not share in College Building Amendment funds; and declaring an emergency."

H. B. No. 739, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer or molest same in Morris County for a period of five (5) years; providing a penalty; re-

pealing all conflicting laws; and declaring an emergency."

H. B. No. 797, A bill to be entitled "An Act amending Section 29, House Bill No. 611, Acts of the 47th Legislature, Regular Session, 1941, as amended by House Bill No. 135, Acts of the 48th Legislature, Regular Session, 1943, and being Section 29 of Article 695c, Vernon's Texas Civil Statutes, providing that the Executive Director of the State Department of Public Welfare may endorse the last warrant written for the old-age assistance, aid to the blind, or aid to dependent children recipient, but not endorsed by such recipient prior to his death, as payable to the person designated by the State Department of Public Welfare as the one responsible for the care and the obligations incurred by the recipient; providing the method of payment and limitation of such payment; providing a repealing clause, a saving clause; and declaring an emergency."

H. B. No. 391, A bill to be entitled "An Act providing that bonds issued by the governing bodies of certain cities on behalf of city improvement districts may be submitted to the Attorney General for approval; providing for the registering thereof by the State Comptroller; repealing all laws in conflict; providing a saving clause; and declaring an emergency."

H. B. No. 393, A bill to be entitled "An Act amending Sec. 2 of H. B. 684, p. 620, General Laws, Acts 46th Leg., R. S. 1939 (Art. 4379b, Vernon's Texas Civil Statutes) so as to provide that the exchange or commission collected by the State Treasurer from municipalities or political subdivisions for acting as fiscal agent shall never on any interest payment date or interest-principal date be less than \$2.50; and declaring an emergency."

H. B. No. 400, A bill to be entitled "An Act to amend Article 4382 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 242 of the General Laws of the Regular Session of the Forty-second Legislature of Texas, 1931, by adding Article 4382a to provide that the Treasurer, with the consent of the Comptroller of Public Accounts, may substitute a recapitulation of totals of warrants paid each day in lieu of copies of

warrants paid registers; providing a savings clause; and declaring an emergency."

H. B. No. 401, A bill to be entitled "An Act to provide a closed season on wild deer in Galveston County for a period of five (5) years from the effective date of this Act; and declaring an emergency."

H. B. No. 407, A bill to be entitled "An Act to provide for a limitations statute of suspense and trust fund refund warrants drawn by the Comptroller of Public Accounts; to provide for disposition of any monies represented by warrants voided by this Act; to provide for certain records in the office of the State Treasurer; to provide a savings clause; and declaring an emergency."

H. B. No. 412, A bill to be entitled "An Act to amend Section 8 of Senate Bill No. 477, Acts, 1937, 45th Legislature, page 1494-d, Chapter 506, providing for the handling and disposition of excess funds arising from delinquent tax sales; and declaring an emergency."

H. B. No. 419, A bill to be entitled "An Act to amend Articles 4357, 4358, and 4359 of the Revised Civil Statutes of 1925, as amended by Chapter 243, H. B. 495, Acts of the Regular Session of the Forty-second Legislature; and Article 4359 as also amended by Chapter 274, paragraph 1, of the Forty-ninth Legislature, relating to systems and methods of issuing warrants by the department of the Comptroller of Public Accounts, and declaring an emergency."

H. B. No. 445, A bill to be entitled "An Act amending Chapter 302, Acts of the 52nd Legislature, 1951, which authorizes the Commissioners Court of certain counties to establish traffic zones on county roads and to otherwise regulate the presence and operation of motor vehicles on such roads and prescribes penalties for violation of its provisions, by making it applicable to all counties having a population of 500,000 or more; and declaring an emergency."

H. B. No. 458, A bill to be entitled "An Act to amend House Bill 275, Acts 52nd Legislature, 1951, Chapter 125, page 210, relating to wild-life resources in certain counties so as to include Red River and Titus Counties; and declaring an emergency."

H. B. No. 465, A bill to be entitled "An Act creating a Conservation District under Article XVI, Section 59, of the Constitution comprising certain territory contained within Dallas County, Texas, for the purpose of providing a source of water supply for municipal, domestic, and industrial use and processing, transporting, and distributing the same; constructing levees, storm sewers, and sanitary sewers and facilities; providing for the annexation of additional territory thereto and the detachment of territory under certain circumstances; providing for a board of directors for the government of said district; authorizing the district to do all things necessary to make available for municipal and industrial uses, the water from underground and other sources, and water it may obtain by purchase from cities, persons, firms, corporations and public agencies; authorizing the issuance of bonds and providing for payment and security thereof by the levy of ad valorem taxes for the pledge of revenues, or both; making applicable to the District, Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and certain general laws relating to water control and improvement districts; prescribing the other powers of the district; enacting other provisions relating to this subject; and declaring an emergency."

H. B. No. 469, A bill to be entitled "An Act amending Article 1112, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 476, A bill to be entitled "An Act creating a conservation district under Article XVI, Section 59, of the Constitution comprising certain territory within Wilbarger County, Texas, for the purpose of providing a source of water supply for municipal, domestic and industrial use and processing and transporting the same; providing for a Board of Directors for the government of said district; authorizing the district to do all things necessary to make available for municipal, domestic and industrial users, the water from streams within and without the district, water from underground sources, and water it may obtain by purchase, lease and operation contracts with cities, persons, firms, corporations and public agencies; authorizing the issuance of

bonds and providing for the payment and security thereof; making applicable to the district, Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and certain general laws relating to water control and improvement districts; prescribing the other powers of the district; enacting other provisions relating to this subject; and declaring an emergency."

H. B. No. 323, A bill to be entitled "An Act enabling the Game and Fish Commission to sell or exchange sections or parcels of land in Brewster, Culberson or Hudspeth Counties; limiting the amount and quality of land that may be sold or exchanged; prescribing the manner of exchange; providing for a minimum price that may be accepted in case of sale; providing for disposition of monies received as a result of land sales; and declaring an emergency."

H. B. No. 341, A bill to be entitled "An Act to amend Section 3 of House Bill 514, Chapter 267, Acts 42nd Legislature, Regular Session, 1931, relating to the keeping of permanent records, and the reporting of all transactions involving pistols; defining the term 'pistols'; and declaring an emergency."

H. B. No. 345, A bill to be entitled "An Act amending Section 12 of Acts of the 51st Legislature, Regular Session, 1949, Chapter 330, page 620, so as to provide that the Court Reporter of the 118th Judicial District will be compensated in accordance with existing laws governing the compensation of Court Reporters; and declaring an emergency."

H. B. No. 349, A bill to be entitled "An Act applying to cities of more than 160,000 inhabitants; amending Sections 2, 6, and 7 of Acts 39th Leg., R.S. 1925, Ch. 33, H. B. 477, p. 154, as amended by Acts 43rd Leg., 1st C.S. 1933, Ch. 36, H. B. 212, p. 113 and by Acts 46th Leg., R.S. 1939, Ch. 6, H. B. 604, p. 99 (codified in Vernon's Civil Statutes as Art. 1109a) so as to eliminate all provisions relating to sewer systems and sewage disposal plants and systems, to provide for the issuance of revenue bonds, notes or obligations on a parity with previously issued bonds, notes or obligations, and to add certain provisions relating to the approval of all bonds or notes by the Attorney General and the registra-

tion thereof by the State Comptroller and delivery thereof to purchasers; validating under certain conditions waterworks revenue bonds heretofore issued, providing a severability clause, and declaring an emergency."

H. B. No. 363, A bill to be entitled "An Act quitclaiming the title of the State of Texas to Lot One (1), Block Twenty-eight (28), Averill Addition to the City of Beaumont, Jefferson County, Texas, to the widow of R. W. Pipkin, Deceased, Mrs. Bess Chance Benckenstein; and declaring an emergency."

H. B. No. 364, A bill to be entitled "An Act authorizing incorporated cities, towns and villages to provide group insurance for employees; amending paragraph (3) of Section 1, Art. 3.50, Subchapter E, of Senate Bill No. 237, Chapter 491, Acts Fifty-second Legislature, Regular Session, 1951, and adding Subparagraph (e) thereto; and declaring an emergency."

H. B. No. 373, A bill to be entitled "An Act to amend subdivision 2(e) of Section 8(a) of the Public Welfare Act of 1941, as amended and reenacted, (subdivision 2(e) of Section 8(a) of Article 695c of the Revised Civil Statutes of Texas, as amended), clarifying the prohibition against child-placing agencies charging fees, and restricting such prohibition to fees for placement, consultation, or other child-placing activities; providing a repealing clause; a saving clause; and declaring an emergency."

H. B. No. 377, A bill to be entitled "An Act amending Section 28 of Chapter 172, Acts of the Regular Session of the 39th Legislature, 1925, (Article 908, Penal Code, 1925) so as to make it unlawful for a manager or owner of premises used for hunting to receive a guest for pay before such manager has received a license from the Game and Fish Commission, to define a 'shooting preserve,' to require the issuance of one license for each 'shooting preserve,' to require certain prerequisites before the issuance of said license, to require all managers to keep a suitable record book to record required information, to provide for the cancellation of licenses, to provide a penalty, and to provide for the duties of the Game and Fish Commission in regard to the license used; repealing all other

laws in conflict herewith; and declaring an emergency."

H. B. No. 390, A bill to be entitled "An Act amending Article 702, R. C. S. of Texas, 1925, providing for the holding of elections in counties, cities, or towns for the issuance of bonds of same or of any political subdivision or defined district thereof and the levy of taxes therefor; providing for the submission of such bonds to the Attorney General for approval whether required or not; repealing all laws and parts of laws in conflict therewith; providing a saving clause; and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Resolution 190

Senator Aikin offered the following resolution:

Whereas, Mr. and Mrs. W. F. Abshire are visitors at the Capitol today; and

Whereas, Mr. and Mrs. Abshire are outstanding citizens of Paris, Texas; and

Whereas, We are delighted to welcome them as our guests; now, therefore, be it

Resolved, That Mr. and Mrs. Abshire be extended the privileges of the floor for today.

The resolution was read and was adopted.

Senate Resolution 191

Senator Phillips offered the following resolution:

Whereas, We are honored today to have in the gallery the Pearland High School Civics Class, accompanied by Mr. J. R. Segers, Civics Instructor, and Mrs. R. F. Farthing, and Mrs. L. E. Hornback; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day, and that each member of this class be furnished with a copy of this resolution.

The resolution was read and was adopted.

Senator Phillips presented the Civics Class and the other guests to the Members of the Senate.

Senate Bill 50 on Second Reading

Senator Bell asked unanimous consent to suspend the regular order of business to take up for consideration at this time S. B. No. 50.

There was objection.

Senator Bell moved to suspend the regular order of business and take up S. B. No. 50 for consideration at this time.

The motion prevailed by the following vote:

Yeas—18

Bell	Lock
Corbin	McDonald
Fuller	Moffett
Hardeman	Moore
Hazlewood	Parkhouse
Kazen	Phillips
Kelley	Rogers of Travis
Lane	Sadler
Latimer	Strauss

Nays—7

Aikin	Wagonseller
Bracewell	Weinert
Martin	Willis
Rogers of Childress	

Absent

Colson	Rutherford
Russell	

Absent—Excused

Ashley	Shireman
Secrest	

The President laid before the Senate, for consideration at this time, the following bill:

S. B. No. 50, A bill to be entitled "An Act amending subdivision (1) of Section 17 of Article I of the Texas Liquor Control Act; repealing laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Bell offered the following committee amendment to the bill:

Amend S. B. 50 by striking out the next to the last paragraph in Section 1, and inserting in lieu the following:

"Holders of Retail Dealer's Off-Premise Licenses who also hold Wine Only Package Store Permits, in doing business under either such permit or license, or both, are authorized to sell beer and wine under the same provisions, conditions and restrictions, and shall be liable for penalties, provided in Article II of the Texas Liquor Control Act governing the sale of beer by Off-Premise Licensees as to hours of sales and deliveries, blinds and barriers, employment of persons under twenty-one (21) years of age, sales on Sunday, advertising, sale and delivery during any primary election day or general election day and sale and delivery to a person under the age of twenty-one (21) years; and as to such matters, such permittees and licensees shall not be governed by the provisions of Article I of the Texas Liquor Control Act notwithstanding any other provision of the Texas Liquor Control Act; provided further that such holders of Wine Only Package Store Permits who also hold Retail Dealers' Off-Premise Licenses shall not be authorized to sell wines on Sunday or after 10:00 o'clock p. m. on weekdays when said wines contain more than fourteen per cent (14%) of alcohol by volume. For the violation of any other provisions of this Act the holders of such Off-Premises licenses, in doing business thereunder, shall be subjected to the penalties provided in Article II of this Act. For the violation of any other provisions of this Act such holders of Wine Only Package Store Permits in doing business thereunder, shall be subjected to the penalties provided in Article I of this Act. All laws and parts of laws in conflict herewith are repealed to the extent of such conflict only."

Senator Bell offered the following substitute for the committee amendment:

Amend Senate Bill No. 50 by striking out the next to the last paragraph in Section 1 (being lines 6 to 28 both inclusive on page 2 of the printed bill), and inserting in lieu thereof the following:

"Such holders of Retail Dealer's Off-Premise Licenses who also hold Wine Only Package Store Permits are authorized to sell beer under the same restrictions and shall be liable for penalties provided in Article I of the Texas Liquor Control Act, governing

the sale of liquor by Package Stores, as to blinds and barriers, employment of a person under the age of twenty-one (21) years, delivery to permittee and licensee on Sunday, advertising, sale and delivery during any primary election day or general election day, sale and delivery to a person under the age of twenty-one (21) years; notwithstanding any other provisions of the Texas Liquor Control Act, holders of Wine Only Package Store Permits who also hold Retail Dealer's Off-Premise Licenses, shall have the right to remain open and sell ale, wine, vinous liquors, and beer, for off-premise consumption only, during the same days and hours that the holder of a Wine and Beer Retailer's Permit may sell ale, beer and wine for on-premise or off-premise consumption, except that a holder of such Wine Only Package Store Permit and Retail Dealer's Off-Premise License shall not sell wine or vinous liquor containing more than fourteen per centum (14%) alcohol by volume on Sundays and after 10:00 p. m. on any day. For the violation of any other provisions of this Act the holders of such Off-Premise Licenses in doing business thereunder shall be subjected to the penalties provided in Article II of this Act. For the violation of any other provision of this Act such holders of Wine Only Package Store Permits in doing business thereunder shall be subjected to the penalties provided in Article I of this Act."

The substitute for the committee amendment was adopted.

The committee amendment, as substituted, was then adopted.

On motion of Senator Bell, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to engrossment.

Record of Vote

Senator Willis asked to be recorded as voting "nay" on the passage of S. B. No. 50 to engrossment.

Motion to Place Senate Bill 50 on Third Reading

Senator Bell moved that the Constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 50 be

placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present).

Yeas—15

Bell	Latimer
Corbin	Moffett
Fuller	Moore
Hardeman	Parkhouse
Hazlewood	Rogers of Travis
Kazen	Sadler
Kelley	Strauss
Lane	

Nays—8

Aikin	Rogers
Bracewell	of Childress
Colson	Wagon seller
Martin	Weinert
	Willis

Absent

Lock	Russell
McDonald	Rutherford
Phillips	

Absent—Excused

Ashley	Shireman
Secrest	

Senate Joint Resolution 10 on Second Reading

Senator Moffett asked unanimous consent to suspend the regular order of business to take up for consideration at this time S. J. R. No. 10.

There was objection.

Senator Moffett then moved to suspend the regular order of business to take up S. J. R. No. 10 at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	McDonald
Bracewell	Moffett
Colson	Parkhouse
Fuller	Phillips
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Sadler
Lane	Strauss
Latimer	Weinert
Martin	Willis

Nays—3

Corbin
Moore

Wagonseller

Absent

Bell
LockRussell
Rutherford

Absent—Excused

Ashley
Secrest

Shireman

The President laid before the Senate for consideration at this time the following resolution:

S. J. R. No. 10, Proposing an amendment to the Constitution of the State of Texas creating the State Building Commission and State Building Fund; providing for the surplus in the Confederate Pension Fund to be transferred annually to the State Building Fund; providing for the expenditure of such fund under the direction of the Legislature; providing for an election thereon, the proclamation of such election, and the form of ballot.

The resolution was read second time.

Senator Lane offered the following amendment to the resolution:

Amend S. J. R. No. 10 by inserting a new paragraph between the second and third paragraphs of subdivision (c) to read as follows:

"Under such terms and conditions as are now or may hereafter be provided by law, the State Building Commission may expend not exceeding five percent (5%) of the moneys available to it in any one year for the purpose of erecting memorials to the Texans who served in the Armed Forces of the Confederate States of America. Said memorials may be upon battlefields or other suitable places within or without the boundaries of this State. The authorization for expenditures for memorials herein mentioned shall cease as of December 31, 1965."

The amendment was adopted.

Senator Moffett offered the following amendment to the resolution:

Amend S. J. R. No. 10 by striking out "third day of November, 1953," and inserting in lieu thereof, "The

first Tuesday after the first Monday in November, 1954."

The amendment was adopted.

Senator Bell offered the following amendment to the resolution:

Amend S. J. R. No. 10 by inserting a new paragraph following the Lane amendment to read as follows:

"Under such terms and conditions as are now or may hereafter be provided by law, the State Building Commission may expend not exceeding thirty thousand (\$30,000.00) dollars in the aggregate for the purpose of erecting memorials to the Texans who served in the Armed Forces of the Republic in the Texas War for Independence. Said memorials may be erected upon battlefields, in cemeteries or other suitable places within or without the boundaries of this State. The authorization for expenditures for memorials herein mentioned shall cease as of December 31, 1965."

BELL
STRAUSS

Senator Moffett raised the point of order that the amendment was not germane to the resolution.

The President overruled the point of order.

The amendment was then adopted.

Record of Vote and Reason for Vote

Senator Hardeman asked to be recorded as voting "nay" on the adoption of the Bell amendment and submitting the following as a Reason for Vote:

I voted "nay" on the foregoing amendment by Bell because constitutional authority is not necessary for this type of appropriation. Such may be done by statutory process and, in my opinion, should not be incorporated into the Constitution. I certainly have no objection to the erection of appropriate memorials for our honored dead.

HARDEMAN

Senator Moffett offered the following amendment to the resolution:

Amend the ballot in Section 2 of S. J. R. 10 by striking out the language of the ballot provided therein and inserting in lieu thereof the following:

"FOR the amendment transferring that portion of the Confederate Pension Fund not needed for the payment of Confederate Pensions to the State Building Fund to be used for State building purposes as may be provided by the Legislature, and also permitting not more than five percent (5%) of such fund to be used for memorials for Texans who served the Confederate States."

and

"AGAINST the amendment transferring that portion of the Confederate Pension Fund not needed for the payment of Confederate Pensions to the State Building Fund to be used for State building purposes as may be provided by the Legislature, and also permitting not more than five percent (5%) of such fund to be used for memorials for Texans who served the Confederate States."

The amendment was adopted.

On motion of Senator Moffett, and by unanimous consent, the caption was amended to conform to the body of the resolution as amended.

The resolution, as amended, was passed to engrossment.

Senate Joint Resolution 10 on Third Reading

Senator Moffett moved that the Constitutional rule requiring resolutions to be read on three several days be suspended and that S. J. R. No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	McDonald
Bell	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Phillips
Fuller	Rogers
Hardeman	of Childress
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis

Absent

Rogers of Travis

Absent—Excused

Ashley	Shireman
Secrest	

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Absent—Excused

Ashley	Shireman
Secrest	

Senate Resolution 192

Senator Bracewell offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, Boy Scout Troop 300 from La Porte, Texas, accompanied by their Scoutmaster, W. D. Cade; and

Whereas, These Scouts are on an educational tour of the Capitol; and

Whereas, This Troop of young American Citizens are here to observe the workings of its State Government; now, therefore, be it

Resolved, That these young men be officially welcomed and recognized by the Senate, and that they be commended for their interest in our Government, and that the Troop be furnished with a copy of this resolution.

The resolution was read and was adopted.

Senator Bracewell presented the Troop to the Members of the Senate.

House Bills on First Reading

The following bills, received from the House today, were read the first time and were referred to the committees indicated:

H. B. No. 500, to Committee on Game and Fish.

H. B. No. 205, to Committee on Game and Fish.

H. B. No. 43, to Committee on State Highways and Motor Traffic.

H. B. No. 363, to Committee on Civil Jurisprudence.

H. B. No. 345, to Committee on Civil Jurisprudence.

H. B. No. 341, to Committee on Criminal Jurisprudence.

H. B. No. 323, to Committee on State Affairs.

H. B. No. 322, to Committee on Civil Jurisprudence.

H. B. No. 321, to Committee on Civil Jurisprudence.

Report of Standing Committee

By unanimous consent, Senator Fuller submitted the following report:

Austin, Texas,
March 30, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 500, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FULLER, Chairman.

Bills and Resolution Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolution:

H. B. No. 98, A bill to be entitled "An Act amending Section 10 of Article 118c-1 of Vernon's Texas Statutes; providing a saving clause and declaring an emergency."

H. B. No. 99, A bill to be entitled "An Act amending Section 10 of Article 118c-2 of Vernon's Texas Statutes; providing a saving clause and declaring an emergency."

H. B. No. 13, A bill to be entitled "An Act amending Section 6 of Article III of H. B. No. 8, Acts, 44th Legislature, Third Called Session, as amended and re-enacted by H. B. No.

377, Acts of the Regular Session, 45th Legislature, as amended by H. B. No. 202, Chapter 347, Acts of the Regular Session, 50th Legislature, relative to admission taxes on places of amusement, so as to change the base rate of the tax as to admissions to theaters, motion picture theaters, operas, plays and like amusement and so as to provide for penalties for failure to make the quarterly report or to make a false or incomplete report or failure to pay the tax when due; and declaring an emergency."

H. B. No. 580, A bill to be entitled "An Act authorizing any independent school district created and operating under a Special Law or Laws to adopt an alternative method for the election, term and number of trustees for such district; prescribing such alternative method; and declaring an emergency."

H. B. No. 278, A bill to be entitled "An Act creating a Board of Managers for the Texas State Railroad as an agency of the State of Texas; providing for the appointments, terms, powers and duties of such Board members; ratifying the acts of prior Boards; directing that the present Board transfer possession of the Texas State Railroad to the Board of Managers herein created; authorizing the Board to sell or lease or contract in regard to the Texas State Railroad; providing for the transmittal of all money received by the Board to the State Treasurer and directing his disposition of the same; providing for annual reports by said Board and for certain audits by the State Auditor; authorizing free transportation for Board members; ratifying a certain lease contract now in force; providing for meetings of the Board; confirming title to certain steel rails; providing for a codification number; repealing certain laws; and declaring an emergency."

H. B. No. 32, A bill to be entitled "An Act to authorize the Board of Insurance Commissioners to make, approve or promulgate premium rating plans designed to encourage the prevention of accidents which may be on an optional basis to apply prospectively or retrospectively and may include premium discount plans, retrospective rating plans or other premium rating plans systems, or formulas for Motor Vehicle, Workmen's Compensation and other lines of Cas-

ualty Insurance; etc., and declaring an emergency."

H. C. R. No. 48, Protesting the action of the Civil Aeronautics Board in ordering curtailment of first-class airline service.

Co-Authors of Senate Bill 247

Senators Willis and Corbin asked to be shown as co-authors of S. B. No. 247.

There was no objection offered.

Senate Joint Resolution 4 on Third Reading

The President laid before the Senate on its third reading the following resolution:

S. J. R. No. 4, Proposing an amendment to the Constitution of the State of Texas to provide a four-year term of office for elective district, county and precinct offices; staggering the terms of such offices by having certain holders of such offices be elected for terms of varying length in the November, 1954, general election; and providing for the necessary proclamation and election.

The resolution was read third time.

Senator Fuller offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 4 by striking out Section 10 and substituting in lieu thereof the following:

"Sec. 10. That Article V of the Constitution of the State of Texas be amended by adding thereto Section 30, which shall read as follows:

" 'Section 30. The Judges of all courts of county-wide jurisdiction heretofore or hereafter created by the Legislature of this State, and all Criminal District Attorneys now or hereafter authorized by the laws of this State, shall be elected for a term of four years, and shall serve until their successors have qualified'."

The amendment was adopted by the following vote:

Yeas—25

Aikin	Fuller
Bell	Hardeman
Colson	Hazlewood
Corbin	Kazen

Kelley	Rogers
Lane	of Childress
Latimer	Rogers of Travis
Lock	Russell
McDonald	Rutherford
Moffett	Sadler
Moore	Strauss
Parkhouse	Wagonseller
Phillips	Willis

Nays—2

Bracewell	Martin
Present—Not Voting	
Weinert	
Absent—Excused	
Ashley	Shireman
Secrest	

Senator Fuller offered the following amendment to the resolution:

Amend Senate Joint Resolution No. 4 by striking out Section 12 and substituting in lieu thereof the following:

"Section 12. That Article XVI of the Constitution of the State of Texas be amended by adding thereto a Section 65, which shall read as follows:

" 'Section 65. The following officers elected at the general election in November, 1954, and thereafter, shall serve for the full terms provided in this Constitution:

" '(a) District Clerks; (b) County Clerks; (c) County Judges; (d) Judges of County Courts-at-Law, County Criminal Courts, County Probate Courts, and County Domestic Relations Courts; (e) County Treasurers; (f) Criminal District Attorneys; (g) County Surveyors; (h) Inspectors of Hides and Animals; (i) County Commissioners for Precincts Two and Four; (j) Justices of the Peace.

" 'Notwithstanding other provisions of this Constitution, the following officers elected at the general election in November, 1954, shall serve only for terms of two years: (a) Sheriffs; (b) Assessors and Collectors of Taxes; (c) District Attorneys; (d) County Attorneys; (e) Public Weighers; (f) County Commissioners for Precincts One and Three; (g) Constables. At subsequent elections, such officers shall be elected for the full terms provided in this Constitution.

" 'In any district, county or precinct where any of the aforementioned offices is of such nature that two or more persons hold such office,

with the result that candidates file for "Place No. 1," "Place No. 2," etc., the officers elected at the general election in November, 1954, shall serve for a term of two years if the designation of their office is an uneven number, and for a term of four years if the designation of their office is an even number. Thereafter, all such officers shall be elected for the terms provided in this Constitution'."

The amendment was adopted by the following vote:

Yeas—24

Aikin	Parkhouse
Bell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hazlewood	Russell
Kazen	Rutherford
Kelley	Sadler
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Moffett	Willis
Moore	

Nays—4

Bracewell	Martin
Hardeman	McDonald

Absent—Excused

Ashley	Shireman
Secrest	

S. J. R. No. 4 then was passed by the following vote:

Yeas—21

Bell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hazlewood	Rogers of Travis
Kazen	Russell
Kelley	Rutherford
Lane	Sadler
Latimer	Strauss
Lock	Wagonseller
Moore	Willis

Nays—5

Aikin	Martin
Bracewell	McDonald
Hardeman	

Absent

Moffett	Weinert
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Absent—Excused

Ashley	Shireman
Secrest	

Message From the House

Hall of the House of Representatives,
Austin, Texas,
March 30, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 361, A bill to be entitled "An Act exempting institutions or organizations such as the San Antonio Conservation Society, chartered by the State of Texas for the purpose of preserving historical landmarks and sites; and declaring an emergency."

H. B. No. 621, A bill to be entitled "An Act creating a water control and improvement district under the provisions of Section 59, Article XVI of the Constitution to be known as 'West Trinity Water, Sewer and Improvement District'; defining its powers; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 562, A bill to be entitled "An Act creating the Constitutional office of County Attorney of Harris County; providing for the election, tenure of office and prescribing the qualifications, powers and duties of said office; providing for the appointment of a County Attorney by the Commissioners' Court on September 1, 1953; providing for the appointment of assistants, investigators and secretaries; providing for their powers and duties; providing for a severability clause; providing for a repealing clause; providing that this Act shall be operative on September 1, 1953; and declaring an emergency."

H. B. No. 438, A bill to be entitled "An Act amending H. B. 159, Chapter 33, page 50, of the 42nd Legislature, 1945, being Article 3202-a, Revised Civil Statutes of Texas, 1925, so as to except from the provisions for payment of the cost of support, maintenance, and treatment of the persons legally liable for the support of children received and kept in the Texas School for the Deaf; and declaring an emergency."

H. B. No. 444, A bill to be entitled "An Act to amend Subdivision 83 of Article 199, Title 8, of the Revised Civil Statutes of Texas, 1925, as amended by Acts, Regular Session of

the 41st Legislature, Chapter 11, page 245, so as to change and fix the time and terms of holding the 83rd District Court in Jeff Davis, Presidio, Brewster, Pecos, Upton and Reagan Counties; providing for the holding of as many sessions in any term as may be deemed expedient; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds and making them returnable to the next term of court in said counties and district as herein fixed; validating the summoning of grand and petit juries under this Act; making provision for courts in session at the time of the taking effect of this Act; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 241 by vote of 113 ayes, 18 noes.

The House has concurred in Senate amendments to House Bill No. 64 by vote of 130 ayes, 2 noes.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Resolution 193

Senator Lane offered the following resolution:

Whereas, We are honored today to have in the gallery Civics and American History class of Beckville High School, accompanied by R. C. Beachamp, J. W. Walters, teachers, and Mrs. Ralph Brome and Mrs. Meadows; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Lane presented the classes and the teachers and sponsors to the Members of the Senate.

Senate Joint Resolution 5 on Second Reading

On motion of Senator Bracewell, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 5, A joint resolution proposing an amendment to the Constitution of the State of Texas fixing the terms and salaries of certain constitutional officers, the Governor, Attorney General, Comptroller of Public Accounts, Treasurer, Commissioner of General Land Office and Secretary of State, etc.

The resolution was read second time.

Senator Bracewell offered the following committee amendment to the resolution:

Amend S. J. R. No. 5, Section 6, by striking out the words "last Saturday in August 1953" and substituting the words "fourth Saturday in July 1954."

Senator Bracewell offered the following substitute for the committee amendment:

Amend S. J. R. 5 by striking out all below the Resolving Clause, and substituting therefor the following:

Section 1. That Section 4 of Article 4 of the Constitution of the State of Texas be so amended as to hereafter read as follows:

"Sec. 4. The Governor shall be installed on the first Tuesday after the organization of the Legislature following the adoption of this resolution and on the first Tuesday after the organization of the Legislature each two years thereafter, or as soon thereafter as practical and shall hold his office for the term of two years, or until his successors shall be duly installed. He shall be at least thirty years of age, citizen of the United States, and shall have resided in this State at least five years immediately preceding his election."

Section 2. That Section 5 of Article 4 of the Constitution of the State of Texas as amended by adoption of Senate Joint Resolution Number 14 of the Regular Session of the Forty-fourth Legislature by a vote of the people on November 3, 1936, be so amended as to hereafter read as follows:

"Sec. 5. The Governor shall, at stated times, receive as compensation for his services an annual salary of not less than Twenty-five Thousand (\$25,000.00) Dollars, and shall have the use and occupation of the Governor's Mansion, fixtures and furniture."

Section 3. That Section 22 of Article 4 of the Constitution of the State of Texas as amended by adoption of Senate Joint Resolution Number 14 of the Regular Session of the Forty-fourth Legislature by a vote of the people on November 3, 1936, be so amended as to hereafter read as follows:

"Sec. 22. The Attorney General shall hold office for two years and until his successor is duly qualified. He shall represent the State in all suits and pleas in the Supreme Court of the State in which the State may be a party, and shall especially inquire into the charter rights of all private corporations, and from time to time, in the name of the State, take such action in the courts as may be proper and necessary to prevent any private corporation from exercising any power or demanding or collecting any species of taxes, tolls, freight or wharfage not authorized by law. He shall, whenever sufficient cause exists, seek a judicial forfeiture of such charters, unless otherwise expressly directed by law, and give legal advice in writing to the Governor and other executive officers, when requested by them, and perform such other duties as may be required by law. He shall reside at the seat of government during his continuance in office. He shall receive for his services an annual salary of not less than Fifteen Thousand (\$15,000.00) Dollars."

Section 4. That Section 23 of Article 4 of the Constitution of the State of Texas as amended by adoption of Senate Joint Resolution Number 14 of the Regular Session of the Forty-fourth Legislature by a vote of the people on November 3, 1936, be amended so as to hereafter read as follows:

"Sec. 23. The Comptroller of Public Accounts, the Treasurer and the Commissioner of the General Land Office shall each hold office for the term of two years and until his successor is qualified; receive an annual salary of not less than Twelve Thousand (\$12,000.00) Dollars; reside at the Capital of the State during his continuance in office, and perform

such duties as are or may be required by law. They and the Secretary of State shall not receive to their own use any fees, costs or perquisites of office. All fees that may be payable by law for any service performed by any officer specified in this Section, or in his office, shall be paid, when received, into the State Treasury."

Section 5. That Section 21 of Article 4 of the Constitution of the State of Texas as amended by adoption of Senate Joint Resolution Number 14 of the Regular Session of the Forty-fourth Legislature by a vote of the people on November 3, 1936, be so amended as to hereafter read as follows:

"Sec. 21. There shall be a Secretary of State, who shall be appointed by the Governor, by and with the advice and consent of the Senate, and who shall continue in office during the term of service of the Governor. He shall authenticate the publication of the laws, and keep a fair register of all official acts and proceedings of the Governor, and shall, when required, lay the same and all papers, minutes and vouchers relative thereto, before the Legislature, or either house thereof, and shall perform such other duties as may be required of him by law. He shall receive for his services an annual salary of not less than Twelve Thousand (\$12,000.00) Dollars."

Section 6. Said proposed Constitutional Amendments shall be submitted to a vote of the qualified electors of this State on the first Tuesday after the first Monday in November, 1964, at which election all voters favoring such proposed amendment shall write or have printed on their ballots the words:

"For the amendment to the State Constitution authorizing the Legislature to set the salaries of the Governor, the Attorney General, the Comptroller of Public Accounts, the State Treasurer, the Commissioner of the General Land Office, and the Secretary of State, at not less than a fixed minimum, and prescribing that each of these officials shall be elected for a term of two (2) years."

And those voters opposing said proposed Amendment shall write or have printed on their ballots the words:

"Against the amendment to the State Constitution authorizing the Legislature to set the salaries of the Governor, the Attorney General, the Comptroller of Public Accounts, the

State Treasurer, the Commissioner of the General Land Office, and the Secretary of State, at not less than a fixed minimum, and prescribing that each of these officials shall be elected for a term of two (2) years."

If it appears from the returns of said election that a majority of the votes cast are in favor of said amendment, the same shall become a part of the State Constitution.

Section 7. The Governor of the State of Texas is hereby directed to issue the necessary proclamation for said election and to have same published as required by the Constitution and Laws of this State.

The substitute for the committee amendment was read.

Question—Shall Senator Bracewell's substitute for the committee amendment be adopted?

Message From the House

Hall of the House of Representatives.

Austin, Texas,
March 30, 1953.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 32, Inviting Good Neighbor Commission to present program to Joint Session on April 14, 1953, in commemoration of Pan American Day.

S. C. R. No. 33, Recognizing and honoring Major George A. Davis Jr., of Lubbock, Texas, for his bravery and gallantry in the present world strife.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Adjournment

Senator Martin moved the Senate stand adjourned until 10:30 o'clock a. m. tomorrow.

Senator Aikin moved the Senate stand recessed until 2:30 o'clock p. m. today.

Yeas and nays were demanded.

Question first on the motion of Senator Martin to adjourn until 10:30 o'clock a. m. tomorrow, the motion prevailed by the following vote:

Yeas—13

Bell	Moffett
Hardeman	Phillips
Hazlewood	Rutherford
Kelley	Sadler
Lane	Strauss
Latimer	Weinert
Martin	

Nays—12

Aikin	Rogers
Bracewell	of Childress
Colson	Rogers of Travis
Corbin	Russell
Fuller	Wagonseller
Moore	Willis
Parkhouse	

Absent

Kazen	McDonald
Lock	

Absent—Excused

Ashley	Shireman
Secrest	

Accordingly, the Senate at 12:13 o'clock p. m. adjourned until 10:30 o'clock a. m. tomorrow.

FORTIETH DAY

(Tuesday, March 31, 1953)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	McDonald
Ashley	Moffett
Bell	Moore
Bracewell	Parkhouse
Colson	Phillips
Corbin	Rogers
Fuller	of Childress
Hardeman	Rogers of Travis
Hazlewood	Russell
Kazen	Sadler
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Willis

Absent—Excused

Rutherford	Weinert
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A quorum was announced present.

The Invocation was offered by the